

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

NEW HAVEN UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2014100357

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On October 08, 2014, New Haven Unified School District filed a due process hearing request (complaint), naming Student. On February 27, 2015, New Haven filed a motion to amend its (amended complaint). Student filed a notice of non-opposition to the motion to amend and requested a mediation date be scheduled.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order including a new mediation date.

IT IS SO ORDERED.

DATE: March 6, 2015

/s/

JOY REDMON

Administrative Law Judge

Office of Administrative Hearings

¹All statutory citations are to title 20 United States Code unless otherwise indicated.